

# EXHIBIT D

**COURT-APPROVED LEGAL NOTICE**

**If you purchased any Pork product directly from a Pork producer for use or delivery in the United States from January 1, 2009 through [Date], a class action settlement may affect your rights.**

*Para una notificación en español, llame gratis al 1-866-797-0864  
o visite nuestro website [www.PorkAntitrustLitigation.com](http://www.PorkAntitrustLitigation.com).*

A settlement has been reached in a class action antitrust lawsuit filed on behalf of Direct Purchaser Plaintiffs with Defendants JBS USA Food Company, JBS USA Food Company Holdings, Swift Pork Company, and related or affiliated entities (“JBS” or “Settling Defendant”). This Court-ordered notice may affect your rights. Please review and follow the instructions carefully.

The United States District Court for the District of Minnesota authorized this notice. Before any money is paid, the Court will hold a hearing to decide whether to approve the Settlement.

**WHO IS INCLUDED?**

For settlement purposes, members of the Settlement Class are defined as all persons who purchased any Pork products directly from any of the Defendants or any co-conspirator, or their respective subsidiaries or affiliates for use or delivery in the United States from at least as early as January 1, 2009 until [Date of Preliminary Approval]. Specifically excluded from the Settlement Class are the Defendants; the officers, directors or employees of any Defendant; any entity in which any Defendant has a controlling interest; and any affiliate, legal representative, heir or assign of any Defendant. Also excluded from this Settlement Class are any federal, state, or local governmental entities, any judicial officer presiding over this action and the members of his/her immediate family and judicial staff, and any juror assigned to this action. In addition to JBS, the Defendants in this lawsuit for purposes of the Settlement Agreement include Clemens Food Group, LLC, The Clemens Family Corporation, Hormel Foods Corporation and Hormel Foods, LLC, Indiana Packers Corporation, Mitsubishi Corporation (Americas), Seaboard Foods LLC, Seaboard Corporation, Smithfield Foods, Inc., Triumph Foods, LLC, Tyson Foods, Inc. Tyson Prepared Foods, Inc., Tyson Fresh Meats, Inc., and Agri Stats, Inc.

If you are not sure you are included, you can get more information, including a detailed notice, at [www.PorkAntitrustLitigation.com](http://www.PorkAntitrustLitigation.com) or by calling toll-free 1-866-797-0864.

**WHAT IS THIS LAWSUIT ABOUT?**

Direct Purchaser Plaintiffs allege that Defendants and their co-conspirators conspired and combined to fix, raise, maintain, and stabilize the price of Pork, beginning at least as early as January 1, 2009, with the intent and expected result of increasing prices of Pork in the United States, in violation of federal antitrust laws. JBS denies it did anything wrong. The Court did not decide which side was right, but both sides agreed to the Settlement Agreement to resolve the case and get benefits to the Class. The case is still proceeding on behalf of the Direct Purchaser Plaintiffs against other Defendants who may be subject to separate settlements, judgments, or class certification orders.

**WHAT DOES THE SETTLEMENT PROVIDE?**

Under the terms of the Settlement Agreement, JBS will pay \$24,500,000 to resolve all Settlement Class claims against it in this litigation against JBS. In addition to this monetary benefit, JBS has also agreed to provide specified cooperation in the Direct Purchaser Plaintiffs’ continued prosecution of the litigation. Class Counsel are not seeking to recover attorneys’ fees and do not plan for distribution of settlement proceeds to the Class Members at this time, but may do so at a future date subject to further notice.

**WHAT ARE YOUR RIGHTS AND OPTIONS?**

You do not need to take any action to remain a member of the Settlement Class and be bound by the Settlement Agreement. As a Settlement Class member, you may be able to participate in (or exclude yourself from) any future settlement or judgment obtained by Direct Purchaser Plaintiffs against other Defendants in the case. If you don’t want to be legally bound by the Settlement Agreement, you must exclude yourself by [DATE], or you won’t be able to sue or continue to sue JBS for the Released Claims (as defined in the Settlement Agreement). If you exclude yourself, you can’t get money from the Settlement. If you don’t exclude yourself from the Settlement Class, you may still object to the Settlement Agreement by [DATE]. The detailed notice explains how to exclude yourself or object. Details may also be found on the FAQs page of the settlement website. The Court will hold a hearing in this case (*In re Pork Antitrust Litigation*, Case No. 0:18-cv-01776) on [DATE] at [Time] to consider whether to approve the Settlement Agreement. You may ask to speak at the hearing, but you don’t have to.

**This notice is only a summary. You can find more details about the Settlement at [www.PorkAntitrustLitigation.com](http://www.PorkAntitrustLitigation.com) or by calling toll-free 1-866-797-0864. Please do not contact the Court.**